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<b>MS Amendment</b> <b>United States Patent and Trademark Office</b>	(703) 872-9306	(571) 272-1918

**FROM:** Alan S. Hodes**DATE:** August 23, 2004

Number of pages with cover page: 4

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**Comments:****Comments: RESPONSE TO RESTRICTION REQUIREMENT****DOCKET NO.:** 245402007700**GROUP ART UNIT:** 2826**EXAMINER:** V. Mandala, Jr.**SERIAL NO.:** 10/699,553**FILING DATE:** October 31, 2003**INVENTOR(S):** Taiji MORIMOTO et al.**TITLE:** SEMICONDUCTOR LASER DEVICE AND METHOD OF FABRICATING THE SAME**Papers attached:**

1. Transmittal (1 page)
2. Response To Restriction Requirement (2 pages)

PA-913282

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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# TRANSMITTAL FORM

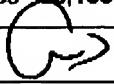
(to be used for all correspondence after initial filing)

		Application Number	10/699,553
		Filing Date	October 31, 2003
		First Named Inventor	Taiji MORIMOTO
		Art Unit	2826
		Examiner Name	V. Mandala Jr.
Total Number of Pages In This Submission	3	Attorney Docket Number	245402007700

**ENCLOSURES (Check all that apply)**

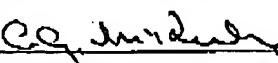
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Fax cover sheet
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		<b>Remarks</b>
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Alan S. Hodes - 38,185
Signature	
Date	August 23, 2004

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Dated: August 23, 2004

Signature:  (Carolyn G. McKubre)

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Dated: August 23, 2004

Signature:

*C. McKubre*  
(Carolyne G. McKubre)

OFFICIAL

Docket No. 245402007700  
Client Ref.: 903192-01(NA/yu)  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Taiji MORIMOTO et al.

Application No.: 10/699,553

Confirmation No.: 3605

Filed: October 31, 2003

Art Unit: 2826

For: SEMICONDUCTOR LASER DEVICE AND  
METHOD OF FABRICATING THE SAME

Examiner: V. Mandala Jr.

## RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 23, 2004 (Paper No. 20040721), Applicant hereby provisionally elects claims 5-19 (Group II), for continued examination.

The Examiner has required restriction between:

- I. Claims 1-4, drawn to a semiconductor laser, classified in class 257, subclass 102.
- II. Claims 5-19, drawn to a method of fabricating a semiconductor laser, classified in class 438, subclass 22.

Applicant reserves the right to amend the application to include a generic claim.

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Application No.: 10/699,553

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Docket No.: 245402007700

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing (245402007700). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 23, 2004

Respectfully submitted,

By 

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